

THE CLAIMS

This listing of claims is provided for the Examiner's convenience. No amendments are being made at this time. (Claims 22-29, 32 and 37, which were earlier withdrawn, are not listed in the Office Action Summary page of the paper mailed March 22, 2007, and are deemed to have been cancelled when the Appeal Brief was filed. If not, please consider them cancelled at the present time, as they have been included in a divisional application, Serial No. 11/623,537.)

Listing of Claims:

1. (Original) A jacketed hard candy product comprising:
 - a) a core made of a boiled hard candy containing one or more flavoring and cooling agents; and
 - b) an outer layer also made of a boiled hard candy and containing one or more flavoring and cooling agents, the outer layer being jacketed onto the core so as to cover at least a majority of the core, and the level of cooling agents in the outer layer being greater than the level of any cooling agents in the core.
2. (Original) The product of claim 1 wherein the ratio of the weight of the core to the weight of the outer layer is between about 95:5 and about 70:30.
3. (Original) The product of claim 1 wherein the ratio of the weight of the core to the weight of the outer layer is between about 80:20 and about 90:10.
4. (Original) The product of claim 1 wherein the composition of the core and the composition of the outer layer are the same except for the level of the one or more flavoring and cooling agents.
5. (Original) The product of claim 1 wherein the jacket comprises about 0.01% to about 2% menthol.
6. (Original) The product of claim 1 wherein the product comprises between about 0.01 % and about 2% flavoring agents.

7. (Original) The product of claim 1 wherein the product comprises between about 0.001% and about 1% cooling agents.

8. (Original) The product of claim 1 wherein the product is sugarless.

9. (Original) The product of claim 1 wherein the boiled hard candies of the core and outer layer are both made from the same bulk sweetener selected from the group consisting of sugars, corn syrup, polyols, hydrogenated starch hydrolysate syrup and combinations thereof.

10. (Original) The product of claim 1 wherein the boiled hard candies of the core and outer layer are both made from the same bulk sweetener selected from the group consisting of sucrose, dextrose, lactose, corn syrup and combinations thereof.

11. (Original) The product of claim 1 wherein the boiled hard candies of the core and outer layer are both made from the same bulk sweetener selected from the group consisting of hydrogenated isomaltulose, xylitol, maltitol, hydrogenated starch hydrolysate and combinations thereof.

12. (Original) The product of claim 8 wherein the boiled hard candy of the core comprises hydrogenated isomaltulose.

13. (Original) The product of claim 1 wherein the cooling agent in the outer layer is selected from the group consisting of substituted p-menthane carboxamides, acyclic carboxamides, menthone glycerol ketals, menthyl lactate, menthyl succinate, menthyl glutarate, 3-*l*-menthoxypropane-1,2 diol and mixtures thereof.

14. (Original) The product of claim 1 wherein the one or more flavor and cooling agents used in the core and outer layer comprise N, 2, 3-trimethyl-2-isopropyl butanamide at a level of between about 0.002% and about 0.015% of the product.

15. (Original) The product of claim 1 wherein the one or more flavor and cooling agents used in the core and the outer layer combined comprise 3-*l*-menthoxypropane-1,2 diol at a level of between about 0.005% and about 0.05% of the product.

16. (Original) The product of claim 1 wherein the boiled hard candies of the core and outer layer both comprises a color.

17. (Original) The product of claim 15 wherein the color of the core and of the outer layer are the same.

18. (Original) The product of claim 15 wherein the color of the core and of the outer layer are different.

19. (Original) The product of claim 1 wherein the one or more flavoring and cooling agents in the core and in the outer layer both comprise menthol, and the ratio of the level of menthol in the outer layer to the ratio of the level of menthol in the core is at least 1.5:1.

20. (Original) The product of claim 19 wherein the ratio of menthol level in the outer layer to the menthol level in the core is at least 2:1.

21. (Original) The product of claim 1 wherein the product is clear, and the product core and outer layers appear to be homogeneous.

22-29. (Cancelled)

30. (Previously presented) The product of claim 1 wherein the outer layer covers about 80% or more of the core.

31. (Original) The product of claim 1 wherein the outer layer covers substantially all of the core.

32. (Cancelled)

33. (Original) The product of claim 1 wherein the weight of the outer layer comprises about 15% of the total product.

34. (Original) The product of claim 1 wherein the product has an elongated shape.

35. (Original) The product of claim 1 wherein the product further comprises one or more high-intensity sweeteners selected from the group consisting of acesulfame K, aspartame, alitame, sucralose, glycyrrhizin, saccharin and cyclamates.

36. (Original) The product of claim 35 wherein the high-intensity sweetener is included at a level of about 0.001% to about 2% of the product.

37. (Cancelled)